

HOUSE COMMITTEE ON ENERGY, UTILITIES, & TELECOMMUNICATIONS
REPRESENTATIVE LEO DELPERDANG, CHAIR
TUESDAY, FEBRUARY 13th, 2024

Mr. Chairman Delperdang and Committee Members:

Thank you for the opportunity to provide testimony on behalf of Rice County, KS in opposition of House Bill 2690 which would abolish the 911 Coordinating Council and establishing the State 911 Board; abolishing the 911 operations fund, 911 state fund, and 911 state grant fund outside of the state treasury and establishing the state 911 operations fund, state 911 fund and state 911 grant fund in the state treasury.

The Kansas 9-1-1 Coordinating Council has made tremendous advancements in the implementation and deployment of Next Generation 9-1-1 (NG911) services benefiting all Kansans. The Kansas NG911 System has been heralded by former FCC Chair Ajit Pai as, "the Gold Standard."

However, HB 2690 is not in the best interest of Rice County and Kansas residents. The abolishing of the Kansas 911 Coordinating Council and creating a state fee-based board is fiscally irresponsible. The current Kansas 9-1-1 Act caps the council's administrative cost at no more than 2.0% for administrative costs. HB 2690 currently has no limit on administrative costs, nor do we know the fiscal impacts attributed to Kansas taxpayers. It seems fair that there should be a fiscal note as part of this discussion. The proposed bill would cause an increase to state revenues by 911 funds being part of the State Treasury. We humbly believe that it meets the criteria for K.S.A 75-37215a, for fiscal notes for legislative bills.

Even though this bill proposes a state fee-based board, it is different from other state boards. Like the Kansas Dental Board is funding by licensing fees on those practitioners. The State 911 Board would be funded by Kansas taxpayers through the 911 tax/fee assessed on their phone service accounts.

The possibility of misappropriation of 911 Funds is also concerning to Rice County. Should these funds fall within the State Treasury and this legislative body misappropriates those funds. This would make the State of Kansas a diverter of 9-1-1 funds making Kansas ineligible for federal NG911 grant funds.

Rice County is opposed to either the current Council or future Board have the authority to reduce the 911 tax/fee established pursuant to K.S.A. 12-5369. Neither the current act nor HB 2690 defines who would incur the reduction. Currently the 911 tax/fee is .90 cents per subscriber phone number with .23 cents going to the 911 operations fund, .01 cent going to the state 911 grant fund, & .66 cents going directly back to local PSAP. Rice County believes that based on information submitted on the uniform reporting forms, that moneys generated by such tax/fee are more than the cost required to sustain the 911 operations fund. The Council or Board should only have the authority to reduce their .23 cent portion. We have a current project this year to implement a single uninterruptible power supply (UPS) system for the communication center which has taken 5 years of capital planning. This is because the local 911 tax/fee required is insufficient.

Rice County also opposes increasing the minimum direct distribution of \$60,000 to \$70,000 as proposed in HB2690. Rice County does not currently receive any redistributed 911 taxes/fees currently and under the proposed legislation would not meet the threshold either. Rice County taxpayers would have benefited from the original \$1.03 as supported by this committee back in 2019 when the Kansas 911 Act was last revisited.

Rice County believes that local control is always the best policy and in the best interests of their residents. Local governmental agencies should always be encouraged to collaborate locally to lessen the local taxpayer burden. Rice County opposes that should another governmental organization does not have a PSAP and collaborate with another PSAP to provide 911 service. They should not be eligible to receive the minimum redistributed 911 taxes/fees from counties with population between 25,000 and over 80,000 for a service they do not provide.

The current Kansas 911 Act has been in existence since July 1st of 2012 and last amended in 2019, taking effect on July 1st of 2019. The Kansas 9-1-1 program has grown, and the mission has morphed into one of the most cost effective NG911 programs in the Nation. This bill was primarily crafted by council membership, & staff with extraordinarily little input from the 110 PSAPs utilizing the Kansas NG911 hosted solution. Rice County indorses reviewing the Kansas 911 Act but not in such an injudicious manner.

Rice County opposes HB 2690 and asks that the committee not to pass the bill. Thank you for your time and consideration.

Joshua Michaelis
Director Emergency Communications
Rice County, Kansas